

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 35

Filed by: Trial Section Merits Panel
Box Interference
Washington, D.C. 20231
Tel: 703-308-9797
Fax: 703-305-0942

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

KENNETH J. WIDDER

Junior Party
(Patent No. 5,373,846)¹

v.

EVAN C. UNGER and GUANLI WU

Senior Party
(Application 08/574,373)²

Patent Interference No. 104,237

¹ Filed October 25, 1993, now Patent No. 5,373,846, issued December 20, 1994. Accorded the benefit of application 07/957,215, filed October 6, 1992. Assigned to Molecular Biosystems, Inc.

² Filed December 18, 1995. Accorded the benefit of application 08/391,936, filed February 21, 1995, now Patent No. 5,639,442, issued June 17, 1997, application 08/058,098, filed May 5, 1993, now Patent No. 5,420,176, issued May 30, 1995, application 07/708,731, filed May 31, 1991, and application 07/532,213, filed June 1, 1990. Assigned to Imarx Pharmaceutical Corp.

Interference No. 104,237
Widder v. Unger

Before McKELVEY, Senior Administrative Patent Judge, LEE and
SCHAFER, Administrative Patent Judges.

LEE, Administrative Patent Judge.

Judgment

In light of our granting of party Widder's motion
asserting no interference-in-fact in a decision mailed
separately today, it is time appropriate for entry of judgment
in this case. Accordingly, it is

ORDERED that judgment is herein awarded in favor of both
junior party Widder and senior party Unger;

FURTHER ORDERED that on this record, EVAN C. UNGER and
GUANLI WU are entitled to their application claims 48-50 and
75-82, which correspond to the count;

FURTHER ORDERED that on this record, KENNETH J. WIDDER is
entitled to patent claims 1-14 which correspond to the count.

_____ Fred E. McKelvey, Senior)	
Administrative Patent Judge))	
)	
)	
)	BOARD OF PATENT
_____ Richard Schafer)	APPEALS
		AND

Interference No. 104,237
Widder v. Unger

Administrative Patent Judge)
)
)
)
)
_____)
Jameson Lee)
Administrative Patent Judge)

INTERFERENCES

By Federal Express

Counsel for junior party Widder

Debra Shetka
Morrison & Foerster, LLP
755 Page Mill Road
Palo Alto, California 94304

Counsel for senior party Unger

Francis A. Paintin
Woodcock, Washburn Kurtz
Mackiewicz & Norris
One Liberty Place - 46th Floor
Philadelphia, PA 19103